GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Smt.M.L.Sanjeeva Kumari, former Tahsildar, Thulluru Mandal, Guntur District - Disciplinary proceedings initiated on the allegation of change of classification of land without obtaining field officers report - Inquiry Conducted - Imposed major penalty of dismissal from service - Appeal fled - Admitted - Modifed the punishment as 'with holding two annual grade increments with cumulative effect duly reinstating into service - Orders - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No. 101 **Dated:25.01.2024**

Read the following:

1. Proceedings.No.REV02-28/68/2023 (e.2045739), Dt:29.08.2023 of the CCLA, A.P., Mangalagiri.
2. Appeal petition dated:07.09.2023 of Smt.M.L.Sanjeeva Kumari,former Tahsildar, Thulluru Mandal, Guntur Dist.
3. Remarks & records received from the CCLA in the e-file bearing Comp.No.2045739
4. Memo.No.REV01-LANA0CCLV(DISC)/62/2023-VIG.III(2), Dt:28.11.2023

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ORDER:

Whereas, it was brought to the notice of the Government that disciplinary proceedings were instituted against Smt.M.L.Sanjeeva Kumari, former Tahsildar, Thulluru Mandal, Guntur District on the allegation that (i) she has deliberately processed the file herself without getting report or processing of fle through the subordinate staff for change of classification in Sy.Nos.15-A, 15-B, 16-A, 16-B & 17-A of Rayapudi Village, Thulluru Mandal and also failed to mention the status on ground in the said Sy.Nos and also (ii) she has failed to intimate to the competent authority while acquiring property in the name of her family members. After following the due procedure under A.P.C.S (CC&A) Rules, 1991, the Chief Commissioner of Land Administration, A.P., issued orders imposing a major penalty of dismissal from service against Smt.M.L.Sanjeeva Kumari, former Tahsildar, Thulluru Mandal, Guntur District vide reference 1st read above, as the Charge-I is partly proved and Charge -II held proved.

2. Aggrieved by the above orders issued by the Chief Commissioner of Land Administration, A.P., Mangalagiri, Smt.M.L.Sanjeeva Kumari, former Tahsildar, Thulluru Mandal, Guntur District has fled an appeal petition before the Government stating that an application was filed to the Competent Authority for rectification of the change of classification of the alleged lands and the same was forwarded to her for necessary action. After due verification, the proposals for change of land classification were submitted to the competent authority through proper channel i.e., Revenue Divisional Officer, Guntur as per set procedure. Since, the change of land classification is based on the statutory land records i.e., RSR, the point of "state on ground and also processing the file through subordinates of office" was not raised at any level while processing the file and according approval by Competent Authority. After the approval in Joint Collector's login only, she has completed the process and the Inquiry officer also rightly admitted that there is no mis-representation of facts by her in the process. In the light of the above submissions, the findings as "the charge is partly proved" as observed by the Inquiry Officer is not correct. When once the said proposals has been accepted by the competent authority and passed orders thereon, and no misrepresentation of facts therein, the point of processing the file without field report for the sake of deciding the case may please be ruled out. Further stated that due to the unfavourable conditions arisen as an effect of corona pandemic particularly in her family in the month of April 2021 and consequent death of her husband on 08.05.2021 due to COVID-19 in fatal corona 2nd wave while he was under treatment; she was driven into shock and depression mentally in which state, she could not apply for ratification or post-facto approval for the transactions that were effected in favour of her sons in mid April-2021. She has finally prayed to set aside the impugned punishment orders and consequently allow her in service with all service benefits and pass other appropriate orders in the circumstances of the case.

(p.t.o)

3. And whereas, while sending a copy of the appeal petition, the Chief Commissioner of Land Administration, A.P was requested to examine the contents of the appeal petition fled by Smt.M.L.Sanjeeva Kumari and furnish a report along with specific remarks and connected records to take further action in the matter. Accordingly, in the reference 3rd read above, the Chief Commissioner of Land Administration, A.P., Mangalagiri has submitted the connected records and stated that the orders issued by CCLA & Special C.S. is self explanatory. A personal hearing has been conducted on 16.10.2023 & 30.11.2023 and the appellant has been attended and submitted his defense.

4. After careful examination of the records made available and statement submitted by the appellant during the personal hearing, it is observed that the Inquiry OfFIcer has mentioned in his report that the first charge was partly proved. The second charge regarding not obtaining prior permission for purchasing a piece of land in the name of her son amounts to violation of A.P.C.S (Conduct) Rules, 1964. But dismissal of an employee from service for violation of conduct rules appears to be excessive. Therefore, it is decided to modify the punishment of dismissal from service duly imposing a punishment of withholding of two annual grade increments with cumulative effect duly reinstating Smt.M.L.Sanjeeva Kumari, Tahsildar into service.

5. Accordingly, in exercise of the powers conferred under Rule 37 (2) (c) of the A.P.C.S (CC&A) Rules, 1991, Government hereby modify the punishment of dismissal from service as a punishment of withholding of two annual grade increments with cumulative effect duly reinstating Smt.M.L.Sanjeeva Kumari, Tahsildar into service, under rule 9 of A.P.C.S (CC&A) Rules, 1991.

6. The Chief Commissioner of Land Administration, A.P., Mangalagiri shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To:
Smt.M.L.Sanjeeva Kumari, former Tahsildar, Thulluru Mandal, Guntur District ***through*** the Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
Copy to:
The OSD to Hontble Minister (Rev).
The Collector & District Magistrate, Guntur District.
Sf/Sc.

FORWARDED::BY ORDER//

SECTION OFFICER